

**CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD—
LOS ANGELES REGION**

107 SOUTH BROADWAY, SUITE 4027
LOS ANGELES, CALIFORNIA 90012-4596
(213) 620-4460



October 17, 1988

Mr. Charles M. Miller
C.M. Miller Enterprises, Inc.
20415 Prestina Way
Walnut, CA 91787

PROPOSED SOIL REMEDIATION - MONADNOCK COMPANY (CAO NO. 88-057)

Your letter received August 26, 1988, discussing concerns with the RWQCB comments on the Proposed Soil Remediation has been reviewed. In response to your concerns the following comments are provided:

- 1) The RWQCB staff has not reversed its position on a clay-cap as part of the RCRA style closure originally requested. The use of a clay-cap has no particular relationship to the requirement that the extent, both lateral and vertical of contamination at the specific location of the current excavation be adequately determined. The review, August 8, 1988 provided appropriate rationale for the requirements.
- 2) The evidentiary material which you have provided to this Regional Board has been forwarded to our legal counsel. In addition to evaluation of your material, we have requested TRW to provide us with specific information on the period of their involvement with the site. TRW has disputed some of your contentions. We are continuing to investigate the matter, and will add TRW to the CAO when and if we determine we have sufficient information. We are happy to review any further material you furnish us in this regard. However, even if the CAO were amended to include TRW, the Regional Board is not in a position to apportion liability between the parties. Rather, this can be more appropriately done by court order or settlement between the parties themselves.

The potential for inclusion of TRW to the CAO does not materially change the situation with respect to the area currently excavated. During the previous two rainy seasons, you have allowed water to accumulate and leach the contaminate remaining at this open excavation. The present CAO was in part engendered because of your dilatory response to this problem and specifically structured as a separate requirement. You are directed to provide us with the workplan to complete the soil investigation at this part of your site without further delay.

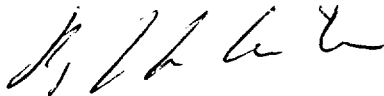
Mr. Charles M. Miller

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The Cleanup and Abatement Order No. 88-054 required that you furnish an acceptable workplan to this Board by June 30, 1988. The revised workplan requested in our August 8, 1988 letter was due August 19. Steps should be taken to provide this to us by December 28, 1988. Failure to submit an acceptable report will result in the imposition of administrative civil liability.

Section 13350 of the Porter-Cologne Water Quality Control Act provides for a liability not to exceed \$5000 for each day the clean up and abatement order is violated.

Please call Philip Chandler at (213) 620-6091 if you have any questions.



ROY R. SAKAIDA
Senior Water Resource
Control Engineer

PBC:sm1

cc: Mr. Neil Ziemba (T-4-1), Environmental Protection Agency, Region 9
Mr. Nestor O. Acedera, Department of Health Services, Toxic Substances
Control Division
Mr. Bill Jones, Los Angeles County, Department of Health Services,
Hazardous Materials Program
Mr. Carl Sjoberg, Los Angeles County, Department of Public Works,
Underground Tanks Program
Mr. Robert Berlien, Counsel for the Watermaster, Main San Gabriel Basin
Mr. Thomas Stetson, Engineer for the Main San Gabriel Basin Watermaster
Mr. Don Howard, Engineer for Puente Basin Watermaster
Mr. Seiichi Saito, Los Angeles County, Department of Health Services,
Water and Sewage Unit
Mr. Ralph Wagner
Ms. Bonnie Wolstoncroft, Office of Chief Counsel, State Water Resources
Control Board
Mr. Richard Ross, Monadanock